

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

Applicant(s): Kevin J. WILLIAMS

Serial No: 10/782,968

Group Art Unit: 1643

Filed: February 20, 2004

Examiner: HARRIS, A. M.

Att. Docket No.: W1107-20009

Confirmation No.: 9607

For: Thrombospondin Fragments and Uses Thereof In Clinical Assays for Cancer and
Generation of Antibodies and Other Binding Agents

**INFORMATION DISCLOSURE STATEMENT INCLUDING CERTIFICATION
STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is
hereby directed to the reference(s) listed on the concurrently filed Form PTO/SB/08a.

Unless otherwise indicated herein, one copy of each reference is submitted herewith. No
copies of U.S. patents or U.S. patent application publications are submitted herewith. 37

CFR § 1.98(a)(2)(ii). It is respectfully requested that the information be expressly

CERTIFICATE OF MAILING/TRANSMISSION PURSUANT TO 37 CFR 1.8

I hereby certify that this correspondence and any attachments referenced therein is/are being mailed/transmitted
to the USPTO by EFS-Web (37 CFR § 1.6(a)(4)) on the date shown below.

Date: 8/10/2009

Signature: _____

Allan H. Fried

Name: _____

Allan H. Fried

considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. No representation is made that the references are prior art with respect to this application.

References cited are from a Search Report in a counterpart European Patent Application

The references were cited in a Supplementary Search Report (Dated June 4, 2009) in counterpart European Patent Application Number EP 03 79 3149, a regional phase application based on International Application Number PCT/US2003/026023, which cites US application serial number 10/419,462 as a priority document. Present US application serial number 10/782,968 is a continuation-in-part application of US application serial number 10/419,462.

Some of the documents listed on the EP Search Report were either previously submitted or cited by the Examiner and are not being submitted now

Those documents listed on the EP Search Report but not listed on the form PTO/SB/08a being electronically submitted herewith include:

US patent No. 5,840,692, submitted in an Information Disclosure Statement of August 1, 2005;

WO 98/07035, cited in the Office Action of March 4, 2009;

Yamashita, Y et al., Cancer 1998; 82:632-638, submitted in an Information Disclosure Statement of December 26, 2007; and

Tuszinski G P et al., Thrombosis and Haemostasis 1992; 67: 607-611, submitted in an Information Disclosure Statement of December 18, 2007.

Citation details for Taraboletti et al and Hugo et al

The journal, volume and page numbers for the Taraboletti et al. article do not appear on the copy of that article sent to Applicant by the EPO. That copy is being submitted herewith. However, those citation details were specified in the EP Search Report as The Faseb Journal. 2000; 14:1674-1676.

The last five words in the title of Hugo et al, in the copy of that article sent to Applicant by the EPO, are “in vitro and in vivo”. That copy is being submitted herewith. However, based on the title as specified in the EP Search Report, as well as the title at the top of the left column on page 2236 of Hugo et al, Applicant understands those last five words in the title are “in vitro and in vivo”.

The Certification Statement applies to complete articles, not to any abstracts previously submitted

The Certification Statement below is being made with the understanding that, as to the following three scientific articles, it applies to the complete articles:

Damas C et al., The 33-kDa Platelet α -granule Membrane Protein (GMP-33) is an N-terminal Proteolytic Fragment of Thrombospondin. Thrombosis and Haemostasis. 2001; 86: 887-893;

Kuroi K et al.; Circulating angiogenesis regulators in cancer patients. Int J Biol Markers. 2001; 16: 5-26; and

Morandi V, et al.; Characterization of a novel monoclonal antibody (V58A4) raised against a recombinant NH₂-terminal heparin-binding fragment of human endothelial cell thrombospondin. FEBS Letters. 1994; 346: 156-160.

The abstract only for Damas C et al. was submitted in an Information Disclosure Statement dated August 1, 2005.

The abstract only for Kuroi K et al was submitted in an Information Disclosure Statement dated December 26, 2007.

The abstract only for Morandi V et al. was submitted in an Information Disclosure Statement dated August 1, 2005.

Certification Statement

This Information Disclosure Statement is being filed after the period specified in 37 CFR § 1.97(b), but before the mailing date of any of a final action under 37 CFR § 1.113, a Notice of Allowance under 37 CFR § 1.311 or an action that otherwise closes prosecution in the application. Accordingly, I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any

communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Authorization to charge the additional fee under 37 CFR §1.17(p) is granted as part of the electronic submission process being used to transmit this Information Disclosure Statement.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

August 10, 2009

By Allan H. Fried

Allan H. Fried

Registration No. 31,253

Customer No. 03000

(215) 567-2010

Attorneys for Applicants

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